

REMARKS/ARGUMENTS

Applicant has received and carefully reviewed the Office Action mailed on April 7, 2009. In the above-referenced Office Action, claims 1 and 3-63 are pending, with claims 3-5, 12-14, 21-22, 30-31, 38-39 and 44-63 previously withdrawn from consideration. Claims 1, 6-11, 15-20, 23-29, 32-37, and 40-43 have been rejected. After careful review, Applicant must respectfully traverse all assertions and rejections made in the Office Action. In this amendment, independent claims 1, 10, 19, 28, and 36 have been amended. No new matter has been added, and the amendments are supported by the specification and drawings. Claims 1 and 3-63 remain pending. Favorable consideration of the above amendments and the following comments is respectfully requested.

Claim Rejections – 35 U.S.C. 102

In the Office Action, claims 10, 15-17, 19, 23-25, 27-28, 32-34, 36, and 40-42 were rejected under 35 U.S.C. 102(e) as being anticipated by Johansen et al. (U.S. Patent No. 7,303,533). After careful review, Applicant respectfully traverses the rejection, particularly in view of the current amendments.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (MPEP 2131).

Regarding amended independent claim 10, Johansen et al. do not appear to disclose “a plurality of joining elements disposed longitudinally along the coil length, wherein each joining element only couples two or more coil windings, and wherein at least one of the plurality of joining elements is longitudinally offset from at least one other joining element along the coil length as viewed from a direction transverse to the coil axis”, as claimed. Accordingly, Applicant believes that independent claim 10 is also patentable over Johansen et al.

Turning now to amended independent claim 19, Johansen et al. do not appear to disclose “a plurality of joining elements disposed on only a portion of the outer perimeter and along the coil length, wherein each joining element couples two or more coil windings, and

wherein at least one of the plurality of joining elements is longitudinally spaced apart from at least one other joining element, wherein the at least one joining element does not couple to any of the two or more coil windings coupled by the at least one other joining element”, as claimed. Therefore, Applicant believes that independent claim 19 is allowable over Johansen et al.

With respect to amended independent claim 28, Johansen et al. do not appear to disclose “at least one of the plurality of joining elements is disposed more distal than at least one other joining element”, as claimed. Thus, Applicant believes that independent claim 28 also allowable over Johansen et al.

Finally, regarding amended independent claim 36, Johansen et al. do not appear to disclose “a plurality of joining elements disposed on only a portion of the outer perimeter and along the coil length, wherein each joining element couples two coil windings, and wherein at least one of the plurality of joining elements is disposed closer to the proximal end than at least one other joining element with no longitudinal overlap”, as claimed. As a result, Applicant believes that independent claim 36 is indeed patentable over Johansen et al.

For at least the reasons discussed above, Johansen et al. do not appear to disclose or suggest each and every element of independent claim 10, 19, 28, and 36; therefore, Johansen et al. cannot anticipate the claims. Similarly, claims 15-17, 23-25, 27, 32-34, and 40-42, which depend therefrom and add additional elements thereto, also cannot be anticipated by Johansen et al. Applicant respectfully requests that the rejection under 35 U.S.C. 102 be withdrawn.

Claim Rejections – 35 U.S.C. 103

In the Office Action, claims 1, 6-9, 11, 18, 20, 26, 29, 35, 37, and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johansen et al. (U.S. Patent No. 7,303,533). After careful review, Applicant respectfully traverses the rejections.

“All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). (MPEP 2143.03).

Referring to amended independent claim 1, Johansen et al. do not appear to disclose “wherein each joining element is located at a longitudinal position along the coil length relative to the coil axis and couples two or more coil windings, wherein the longitudinal position of at least one of the at least ten joining elements is longitudinally offset from the longitudinal position of at least one other joining element along the coil length”, as claimed. Accordingly, Applicant believes that independent claim 1 is indeed patentable over Johansen et al.

Furthermore, for at least the reasons discussed above with respect to 35 U.S.C. 102, Applicant submits that Johansen et al. do not appear to expressly or inherently disclose or suggest each element of independent claims 10, 19, 28, and 36, as is required to establish a *prima facie* case of obviousness. Accordingly, since claims 6-9, 11, 18, 20, 26, 29, 35, 37, and 43 depend from claims 1, 10, 19, 28, or 36 and add additional elements thereto, Applicant submits that these claims are also nonobvious over Johansen et al. Applicant respectfully requests that the rejection under 35 U.S.C. 103 be withdrawn.

Conclusion

Reexamination and reconsideration are respectfully requested. It is submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,
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By his Attorney,

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